

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

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THOMAS M. GULLD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, JACKSON

LARRY S. MELTON, et al.,

Plaintiffs,

vs.

BANK OF LEXINGTON, et al.,

Defendants.

Civ. No. 1:02-1152-B/P

AMENDED SCHEDULING ORDER

Before the court is defendants Jennifer Azbill, Beth Maloan, B&H Investments, Inc., and Bennie Fesmire's Motion for Scheduling Conference, filed July 5, 2005 (dkt #613). The motion was referred to the magistrate judge. On August 18, 2005, the court held a scheduling conference. Counsel for all parties were present and heard. The court, after fully considering the arguments of counsel, hereby AMENDS the scheduling order as follows:

INITIAL DISCLOSURES PURSUANT TO Fed.R.Civ.P. 26(a)(1):
Completed.

JOINING PARTIES: Completed

AMENDING PLEADINGS: November 1, 2005

INITIAL MOTIONS TO DISMISS: December 1, 2005

This document entered on the docket sheet in compliance
with Rule 58 and/or 79 (a) FRCP on 8/23/05

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COMPLETING ALL DISCOVERY: April 1, 2006

(a) DOCUMENT PRODUCTION: April 1, 2006

(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR
ADMISSIONS: April 1, 2006

(c) EXPERT WITNESS DISCLOSURE (Rule 26):

(1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT
INFORMATION: December 1, 2005

(2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT
INFORMATION: February 1, 2006

(3) EXPERT WITNESS DEPOSITIONS: April 1, 2006

FILING DISPOSITIVE MOTIONS: May 1, 2006

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge. It is anticipated that the trial will last approximately ten (10) days.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation before close of discovery.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

At this time, the parties have not given consideration to whether they wish to consent to trial before the magistrate judge. The parties will file a written consent form with the court should they decide to proceed before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.



TU M. PHAM

United States Magistrate Judge

August 19, 2005

Date



Notice of Distribution

This notice confirms a copy of the document docketed as number 639 in case 1:02-CV-01152 was distributed by fax, mail, or direct printing on August 23, 2005 to the parties listed.

Tim Edwards
GLASSMAN EDWARDS WADE & WYATT, P.C.
26 N. Second Street
Memphis, TN 38103

Richard Glassman
GLASSMAN EDWARDS WADE & WYATT, P.C.
26 N. Second Street
Memphis, TN 38103

Robert A. Cox
GLASSMAN EDWARDS WADE & WYATT, P.C.
26 N. Second Street
Memphis, TN 38103

Jeffrey L. Griffin
HARRIS SHELTON DUNLAP COBB & RYDER
2700 One Commerce Square
Memphis, TN 38103

John T. Downing
Federal Deposit Ins. Corp.
550 17th Street NW
Washington, DC 20429

R. Douglas Hanson
GLASSMAN EDWARDS WADE & WYATT, P.C.
26 N. Second Street
Memphis, TN 38103

Jeffrey L. Griffin
HARRIS SHELTON DUNLAP COBB & RYDER
One Commerce Square
Ste. 2700
Memphis, TN 38103

Jerry E. Mitchell
THOMASON HENDRIX HARVEY JOHNSON & MITCHELL
40 S. Main St.
Ste. 2900
Memphis, TN 38103--552

Craig C. Conley
THOMASON HENDRIX HARVEY JOHNSON & MITCHELL
40 South Main Street
Ste. 2900
Memphis, TN 38103

L. Lee Harrell
HARRELL & HARRELL
110 Northwest Court Sq.
Trenton, TN 38382

John D. Burleson
RAINEY KIZER REVIERE & BELL
105 S. Highland Avenue
Jackson, TN 38302--114

Bradley G. Kirk
CARTER STANFILL & KIRK
25 Natchez Trace Dr.
Lexington, TN 38351

Milton Dale Conder
RAINEY KIZER REVIERE & BELL
105 S. Highland Ave.
P.O. Box 1147
Jackson, TN 38302--114

Daniel D. Warlick
LAW OFFICE OF DAN WARLICK
611 Commerce Street
Ste. 2712
Nashville, TN 37203

Larry S. Melton
116 Hidden Valley Cove
Lexington, TN 38351

Beth Maloan
83 Bonaire Circle
Jackson, TN 38305

William S Walton
MILLER & MARTIN
1200 One Nashville Place
150 Fourth Ave. North
Nashville, TN 37219--243

John D. Stevens
RAINEY KIZER REVIERE & BELL
209 East Main Street
P. O. Box 1147
Jackson, TN 38302--114

William F. Burns
WATSON BURNS, LLC
One Commerce Square
Ste. 2600
Memphis, TN 38103

James L. Kirby
HARRIS SHELTON DUNLAP COBB & RYDER
One Commerce Square
Ste. 2700
Memphis, TN 38103

Honorable J. Breen
US DISTRICT COURT